

BEFORE THE MISSISSIPPI COMMISSION
ON ENVIRONMENTAL QUALITY

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. 6621 16

OXFORD SAND COMPANY, INC.
107 CEDAR HILL ROAD
OXFORD, MISSISSIPPI 38655

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RESPONDENT

OFFICE OF GEOLOGY
DEPT OF ENVIRONMENTAL QUALITY

AGREED ORDER

COME NOW the Mississippi Commission on Environmental Quality (Commission), acting through the staff and Executive Director of the Mississippi Department of Environmental Quality (MDEQ), Complainant, and Oxford Sand Company Inc, Oxford Plant, Respondent, in the above captioned cause and agree as follows:

1.

By letter dated August 4, 2015, Respondent was contacted by Complainant and notified of the following violation:

On January 15, 2015, staff of MDEQ, Office of Geology, discovered that Oxford Sand Company, Inc., had mined or affected approximately twenty-two (22) acres outside of Surface Mining Permit No. P10-021 in Section 3, Township 8 South, Range 2 West, Lafayette County (the "Site"), before an amended surface mining permit was submitted and/or approved, which is a violation of the Mississippi Surface Mining and Reclamation Rules and Regulations (Title 11 Miss Admin. Code Pt. 8, Ch. 1).

In lieu of a formal enforcement hearing concerning the violations listed above,
Complainant and Respondent agree to settle this matter as follows:

- A. Respondent agrees to pay and Complainant agrees to accept a civil penalty in the amount of \$5,000.00. Respondent shall pay this penalty to MDEQ within forty-five (45) days after this Agreed Order has been executed by the MDEQ Executive Director (the "Effective Date"). The settlement payment shall be submitted to:

Mississippi Department of Environmental Quality
Attn: Jennifer Parish
P.O. Box 2339
Jackson, MS 39225

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- B. Respondent agrees to submit to MDEQ a complete application to amend surface mining permit for the Site within forty-five (45) days of the Effective Date.
- C. Respondent shall install and implement any and all appropriate storm water controls for the Site including, but no limited to, sedimentation ponds, check dams, temporary and permanent seeding, silt fencing, slope drains and other such measures necessary to minimize sediment laden storm water from leaving the Site or entering waters of the State. These controls shall be installed within forty-five (45) days of the Effective Date.
- D. Respondent agrees to cease all mining operations at the Site until such time as the surface mining permit and any necessary storm water discharge coverages are issued for the site.

3.

Nothing in this Agreed Order shall limit the rights of MDEQ or the Commission in the event Respondent fails to comply with this Agreed Order. The Agreed Order shall be strictly construed to apply to those matters expressly resolved herein.

4.

Commission to take enforcement or other actions against Respondent for violations not addressed herein and for future violations of environmental laws, rules, and regulations.

5.

Respondent understands and acknowledges that it is entitled to an evidentiary hearing before the Commission pursuant to Miss. Code Ann. § 49-17-31, and that it has made an informed waiver of that right.

ORDERED, this the 10th day of FEBRUARY, ²⁰¹⁶2015.

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

BY: 

GARY C. RIKARD
EXECUTIVE DIRECTOR
MISSISSIPPI DEPARTMENT
OF ENVIRONMENTAL QUALITY

AGREED, this the 29TH day of JANUARY, ~~2015~~ ²⁰¹⁶.

OXFORD SAND COMPANY, INC.

BY: [Signature]

TITLE: Sec/Treas

STATE OF MS

COUNTY OF Lafayette

PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction aforesaid, the within named Kirk White who first being duly sworn, did state upon his/her oath and acknowledge to me that he/she is the Secy / Treas of Oxford Sand Company, Inc. and is authorized to sign and enter this Agreement.

SWORN AND SUBSCRIBED BEFORE ME, this the 29th day of Jan., 2016

[Signature]
NOTARY PUBLIC

My Commission expires: March 13th 2016

